

Patent Application By: addressing Each and Every Rejection made by the Honorable Examiner, Rejections and Corrections Such as; Presenting the Abstract on a separate Sheet of paper, New Claims and Correcting all the Typographical Errors without Entering any New matter.

Also, please find the attached Applicant's Arguments Overcoming the Cited Prior Art.

1. Abstract

Please Find the attached corrected ABSTRACT in the Separate Sheet Page: 3. Herein. As Required by the MPEP & 608.01 (h), and Cited by the Examiner's Office Action.

2. Claim Rejection

Applicant Meir Ibguy respectfully submits that in the following pages; 4 and he corrected the Form of the Claims on a separate Sheet of Paper, and, in view of the Applicant arguments Overcoming the Cited Prior Art, applicant Respectfully submits that the claims was rejected in Error, and applicant respectfully submits that the Examiner Shall Reconsider the Claims in the New Form and Enter them for Allowance.

Serial No. 10 / 002,888

Art Unit: 3728

I claim.

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1. An apparatus for distributing antibacterial spray throughout human shoe, comprising an exterior shoe pocket like apparatus for holding antibacterial source said apparatus for holding antibacterial source attached therein to the rear of the shoe and coupled to linking tube for providing means flow of antibacterial spray from the source of the antibacterial spray to the antibacterial discharging apparatus of the upper front shoe sole and said flow linking tube interconnected to the spray discharging apparatus in the upper front of the shoe sole.

2. A pocket like Apparatus for holding antibacterial source embodied to the exterior back part of the hill of the shoe and above the shoe sole for eliminating friction and tripping with obstacles when and during the shoe wearer walking.

OVERCOMING CLAIM REJECTION UNDER: 35 U.S.C. & 112

Applicant Meir Ibguy Respectfully submits that the Form of the Claims of this application was Corrected in Page: 4 of this amendment wherein, the Claimed Invention is claimed by one Broader Claims 1 and 2, and all the Typographical and Wording Errors was corrected to meet the Requirements Under 35 U.S.C. & 112. By:

a. Eliminating the Words and Terms Such as: "Ground of a shoe" and "a body embodied inside a shoe", that renders the claimed invention: Vague.

B. The claims was presented in a separate Sheet of paper as required by the Patent Office.

Therefore, applicant Meir Ibguy respectfully submits that the Honor Examiner: STASHICK, ANTHONY D. Should withdraw his claim rejection Under 35 U.S.C. & 112, as applicant corrected the form of the claims to meet allowable Patent - Standards.

OVERCOMING THE CLAIM REJECTION UNDER: 35 U.S.C. 102

PATENTABILITY

Applicant Meir Ibguy Respectfully Submits that the Examiner's Claim Rejection under: 35 U.S.C. & 102 was made in Error for the Following Reasons:

1. Non of the Cited prior arts that cited by the examiner teaches the same Method of fighting bacteria as Applicant Meir's invention Does, Neither by the present invention Method Nor by its Embodiment, because:

A. For the Examiner's Cited prior art of: Richard R. Reeves. U.S. Pat. No. 4,682,717

Applicant Meir Ibguy Respectfully submits that Richard's Invention comprising embodiment that designed to be attached to the shoe in order to spray Lure materials in order to:

- (I). confuse and disguise animals rather then a comforting materials such as antibacterial spray that pleasantly assisting the shoe wearers in eliminating bacteria.
- (II). The Reeves's device is an exterior embodiment to the shoe, and in Meir's invention the device is embodied permanently to the shoe, therefore, The Meir's invention produces a result that was not Anticipated by the art os the Reeves's cited invention, and,
- (III). The Reeves's Invention Does Mot Embodied into the Shoe Sole such that it will render the same Claims, the Reeves's Invention Renders and raises different claims

that point out to a different structure therefore, the Rejection in View of Reeves's invention is made in Error and applicant respectfully submits that the Honor Examiner should withdraw the Rejections under: 35 U.S.C & 102 and in view of Reeves's and allow the application.

B. For the Examiner's cited prior art of: U.S. Pat. No. 4,420,893

'A system for supplying Air to the interior of a particular of skiing boot'.

Is designed to supply: "Temperature Insulating Air" to protect the Skiers at high altitude and protect them from Extremely Cold temperatures when skiing on heavy snowed mountains.

(I). The Cited Prior art of the U.S. Pat. No. 4,420,893 Has a large Void Space or volume in which the pumped air is directed to, and the pumped air is replacing the work of an old fabrics of insulating the shoe wearer from Cold Temperatures, unlike the Meir's Invention that designed to combat bacteria rather than Insulating the Shoe Wearer from cold temperatures.

(II). In the Cited prior Art Of: U.S. Pat. No. 4,420,893 The pumped air is not reaches in contract with the foot of the Shoe Wearer, the pumped air is compressed into and trapped in a Void between layers of the skiing boot, without contacting the wearer foot.

For the Above reasons, applicant respectfully submits that the Cited prior art of: U.S. Pat. No. 4,420,893 is Cited in Error and applicant respectfully submits that the

Examiner Should withdraw the rejection Under: 35 U.S.C. & 102.

Because, the applicant Meir's invention does not teach the art of insulating human foot from Cold Temperatures, and the claims of the two inventions does not infringe one another.

C. For examiner's Cited Prior Art U.S. Pat. No. 2,887,793
By Inventor: Sam Starr.

Applicant Meir Ibguy Respectfully Submits, that the Starr's Invention is embodied by Interconnecting a plurality of apertures in spaced positions to form a continuous passage in between the grooves that formed by the interconnected apertures wherein the circulated air passes through. Also, the Starr's invention comprising a Spring 41, and when the user walks, he compresses the sole 23, and when the sole 23, is flexed therein, the circulation of the air is activated.

To determine if a device infringe on a patent, the accused device must have Each and Every claim limitation of the infringed device, but, examining the Accused Device (Meir's Invention), there are many Claim limitations of the Starr's invention that missing in the Meir's device, Also, Starr does not teach the Tube that Connecting the Source of the Antibacterial matter to the apparatus that discharges the antibacterial matter into the Wearer's foot, therefore, it is clear that the Present Meir's invention Does Not Infringe the Starr's Invention and therefore, Applicant respectfully submits that the Examiner Cited Prior art of Starr was made in Error and therefore, it Should be

Withdraw.

D. For Examiner's Cited Prior Art Of: Walter A. Riess.

U.S. Pat. No. 2,266,476

Applicant Meir Ibguy, respectfully submits, that also the Examiner's Cited Prior art of:

Walter A. U.S. Pat. No. 2,266,476 is Cited in Error, because:

(I). The Walter's invention Introducing the art of circulating the air by:
compressing the rubberlike material under the Foot hill and forcing the air in the bulb C.
To eject into the front area of the wearer foot. Unlike the Meir's invention that the
antibacterial matter is distributed by manually applying pressure to the Antibacterial tank
the user controls the distribution of the antibacterial matter by manually selecting the rate
and time of the distribution. Walter's invention lacks that limitation, therefore,
applicant respectfully submits, that the Examiner's Rejection in view of: Walter's -
2,266,476 is made in Error therefore, applicant Meir Ibguy Respectfully submits that the
Examiner should withdraw his Rejection.

OVERCOMING THE EXAMINER'S REJECTION
UNDER: 35 U.S.C. 103,

NON - OBVIOUSNESS

Applicant respectfully submits, that because the forgoing reasons, especially, due to the fact that: Not All the Claim Limitations of the Cited Prior Arts was found on the accused device (Meir's Invention), and at least one Claim limitation of each Cited Prior art was Absent from the Accused device, applicant respectfully submits that his Invention is Entitled for Patentability, because the above reasons there is no: Existing of: Obviousness, therefore, the Rejections Under 35 U.S.C. 103 Should be dismissed.

CONCLUSION

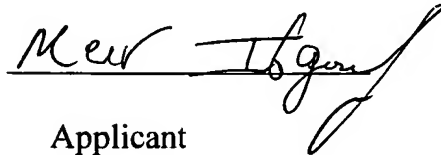
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Applicant Meir Ibguy respectfully submits, that the Honor Examiner STASHICK, ANTHONY D. Shall: Re - Consider the present Invention and due to the above reasons, that there was no Existing Obviousness, the Examiner allow the present invention.

Respectfully Submitted By:

Meir Ibguy

July / 04 / 04


Applicant